

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Guthrie, et al.

Serial No. 09/818.092

Group Art Unit: 2817

Filed: March 26, 2001

Examiner: B. Lee

Title: IMPROVED HIGH INTENSITY LIGHT SOURCE

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on:

Date: June 5, 2003 Signature: *Don Rextoff*Name of person signing certificate: *Don Rextoff*

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PETITION TO WITHDRAW HOLDING OF ABANDONMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 10 2003
OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

Sir:

Applicants hereby petition under 37 CFR 1.181(a) for withdrawal of the holding of abandonment for which a Notice of Abandonment was mailed on April 22, 2003.

The Notice of Abandonment indicates that no response was received to the Office letter mailed on June 17, 2002. An appropriate response was, in fact, mailed to the United States Patent and Trademark Office (USPTO) on December 13, 2002, along with an appropriate petition to extend the period for response to December 17, 2002.

The Applicants have attached hereto a photocopy of the return postcard submitted with the response, which itemizes the papers submitted in the response. As can be seen, the return postcard was stamped by personnel of the U.S. Patent

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"*prima facie* evidence of receipt in the USPTO of all items listed thereon on the date stamped thereon by the USPTO." *Manual of Patent Examining Procedure*, Section 503 (Eighth Edition). This stamped postcard receipt shows that the response was, in fact, received by the USPTO.

Further, the response itself included a signed Certificate of Mailing under 37 CFR 1.8, which states that the response was deposited with the U.S. Postal Service on December 13, 2002 (see attached copy of the response). "Under 37 CFR 1.8, a person may state on certain papers directed to the Office (exceptions are stated in 37 CFR 1.8), the date on which the paper will be deposited in the United States Postal Service or transmitted by facsimile. If the date stated is within the period for reply, the reply in most instances will be considered timely." *Manual of Patent Examining Procedure*, Section 512 (Eighth Edition). Because the response was mailed within the statutory period for reply, the response was timely.

In addition, the response included Check No. 64182 (noted on the postcard receipt) in the amount of \$1018.00 and made payable to the "Director of the U.S. Patent & Trademark Office" for fees in connection with the response. This check was cashed by the USPTO, as shown by the attached copy of the cancelled check. This is further evidence that the response was, in fact, received by the USPTO. Further, this shows that any fees required for the response have already been paid and no additional fees are due.

Further, the Applicants have attached a photocopy of a postage receipt issued by the United States Postal Service for postage in connection with filing the response. The receipt is dated the same day that the response was mailed, December 13, 2003. This receipt is further evidence that the response was timely filed.

In view of the above, the Applicants respectfully submit that a timely response was made to the Office letter mailed June 17, 2002. The Applicants therefore petition for withdrawal of the holding of abandonment.

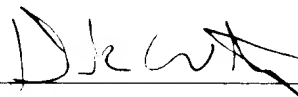
Because it appears that the response was lost after it was received by the USPTO, a complete copy of the response is attached hereto. The Applicants

request further examination and reconsideration in view of the amendments and remarks set forth in the attached response.

The Commissioner is hereby authorized to charge any additional fees due which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-1610.

Law Offices of Derek J. Westberg

Dated: June 5, 2003



Derek J. Westberg (Reg. No. 40,872)

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Commissioner for Patents
Washington, D.C. 20231

Mailing Date December 13, 2002

Serial No. 09-818,092

Filing Date March 26, 2001

Title IMPROVED HIGH INTENSITY LIGHT SOURCE

Inventor Guthrie, et al

Atty. Dkt. No. 2102330-991110



Enclosed are

2 pages of transmittal

18 pages of response to office action

11 pages of amendments showing changes

2 sheets of drawings

return postcard

deposit account authorization

check #64182 in the amount of \$1018.00

Certificate of Mailing

1 page power of attorney

1 page revocation of power of attorney

6 pages statement under 37 CFR 3.73(b)

1 page IDS

form PTO/SB-08A and copies of two references

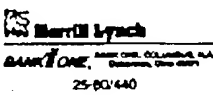

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